

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

ROBERT SMITH,

Plaintiff,

v.

CORRECTIONAL OFFICER KOLA *et al.*,

Defendants.

Case No. C07-5231FDB

ORDER

This civil rights action has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. § 636(b)(1)(B). Plaintiff has been given leave to proceed *in forma pauperis*. Before the court is a motion from plaintiff for an extension of time to file a response to the answer (Dkt # 16). The motion is **DENIED**.

No response to an answer is allowed under the Federal Rules of Civil Procedure unless the answer contains a counter claim.

The Clerk is directed to send a copy of this Order to plaintiff, and remove Dkt. # 16 from the court's calendar.

DATED this 24 day of September, 2007.

/S/ J. Kelley Arnold

J. Kelley Arnold

United States Magistrate Judge

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